

REMARKS

Claims 1-41 were pending in the application at the time the present Office Action was mailed. Claim 1 is amended by this response. No claims are added or cancelled by this response. Accordingly, claims 1-41 remain pending.

The Office Action rejected claims 1-41 as being unpatentable. Specifically, the status of the claims in light of the Office Action is as follows:

(A) Claim 1 was rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite.

(B) Claims 1-8 and 10-41 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,999,966 ("McDougall").

(C) Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over McDougall in view of U.S. Patent No. 6,600,725.

The applicants amend claim 1 in response to the Office Action's rejection under 35 U.S.C. § 112, ¶ 2 and respectfully traverse the rejections under 35 U.S.C. §§ 102 and 103.

McDougall provides techniques for enabling video conference participants to establish and direct a video conference through a control network that is separate from a conference network. These techniques use a videoconferencing switch, which is illustrated in McDougall's Figure 1 at reference no. 14. McDougall's Figures 2 and 3 depict the videoconferencing switch in further detail. (McDougall, 3:44-49.) As is illustrated in those figures, a videoconferencing switch is a hardware device. For example, the videoconferencing switch has a terminal interface 24, which is a "circuit that can mediate signal conditions between conference network 18 and internal digital signal bus 26 of [the video conference switch] 14." (McDougall, 6:45-48.)

The Office Action does not indicate how McDougall teaches or suggests exposing an application program interface ("API"). According to the Office Action, McDougall teaches "exposing at least one interface by the multipoint processing module to receive a request from the application to command the multipoint processing module to modify its default operation to alter at least one attribute of at least one of the audio processor module and video processor module" and points to column 10, line 48 to column 11, line 11 in McDougall. (Office Action, page 3.) However, nowhere in the referenced section of McDougall is there a teaching or suggestion of an API for interfacing software components and the applicants are unable to find any such teaching or suggestion in the applied references. As is described in the applicants' remarks accompanying a request for continued examination filed on September 21, 2004, an API enables multiple software components to utilize functionality exposed by the API.

Further, because the Office Action does not indicate where in the applied references a teaching or suggestion can be found for exposing an API, it does not comply with 37 C.F.R. § 1.104(c)(2). The Office Action does not appear to have considered the amendments made to the claims in an amendment filed with the request for continued examination. As an example, the Office Action does not consider "application program interface." The applicants accordingly believe that any subsequent Office Action cannot be made final.

The applicants would like to correct a typographical error made in their response of March 4, 2005. The applicants request the examiner to remove the word "provisionally" from the sentence of page 1, paragraph 1 of that response electing claims 1-41 without traverse.

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentable define over the applied art. The applicants submit that the claims recite a novel combination of elements that is neither taught nor suggested by the applied references. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or would believe

that a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6478.

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Respectfully submitted,



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